

**From:** Jeremey Wise  
**To:** Microsoft ATR  
**Date:** 12/17/01 8:52am  
**Subject:** Microsoft Antitrust

I am a Technical Computer Consultant for one of the world's largest computer resellers in the world. I have both an MCSE, CNE, and other certifications (tried for RHCE but failed on first try). I only say these things as examples that I understand the industry.

I have been following the MS antitrust case closely from the aspect of its direct impact on my wellbeing. I do believe that MS did and does still participate in very anti-competitive activities to the extent of falling under the auspices of antitrust. Yet, I do not believe it is the job of the government to break them up. I believe that free market will solve this issue in the long run.

My concern, and why I am writing this letter, is that the proposed solution of having MS purchase hardware and provide the software for schools makes no sense. In all my years of consultation I have strived to help companies understand Total Cost of Ownership is the real gauge of a successful deployment. In the proposed settlement MS would not be helping the school systems in any way by adding there software to the settlement. Hardware is less than 1% of the total deployment and maintenance cost. Not to say this would not help out schools. If that is how the government wishes to punish MS, and MS is ok with that, then ok. But please asses the total cost long-term before letting them tack on the software pieces.

MS software like any software is a license that is essentially 'leased'. The end user must eventual upgrade to retain any level of support. MS also, to there credit, has built a structure that provides disincentive to its customers to retain older software via support, or integration of new software being contingent on upgrade of the old software infrastructures.

Synopsis: I believe that the hardware purchase aspect of the settlement, if agreed to by both sides (MS & DOJ) to be a viable one. The adding of software to the mix will, in the long run, cost the US Governement far more and to a large extent further expand the hold that MS will hold over the market sector, a market sector which is particularly sensitive to monetary constraints that would be enforced vi upgrade incentive build into MS marketing strategies (the upgrade concerns of the government are reflected in there maintaining a high amount of Macintosh systems in schools which have a very different software marketing strategy than MS). I am not objecting to MS holding a large sector of the market. Just that if the stated goal of MS is to demonstrate, via this act of donation, there intent to follow non anti-competitive strategies. Then they should be open to alternative solutions of software where the later upgrade fees are not a concern.

Jeremey Wise (MCSE,CNE,CSE)

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